

Mr. Dills seconded the nomination of Mr. Mills.

(Speaker Cochran in the chair.)

On motion of Mr. Wilson, nominations were declared closed, and the Speaker directed the clerk to call the roll of members:

The following members voted for Mr. Mills:

Hon. John H. Cochran, Speaker; Messrs. Aldridge, Alston, Baker of Red River, Baker of DeWitt, Ball, Ballowe, Barbee of Wharton, Barron, Barry, Bayne, Beall, Breeding, Broocks, Brown, Chambers, Chandler, Cunningham, Curry, Dashiell, Davis of Walker, Davis of Falls, Dean, Dever, Dills, Dodd, Erskine, Faubion, Fagan, Feagin, Fields, Finlay, Flack, Frazer, Garrett, Golden, Gough, Graham, Graves, Greer, Hamilton, Hawkins, Henderson of Lamar, Henderson of Milam, Henry, Hodges, Hood of Parker, Hood of Fannin, Jackson of Colorado, Jackson of Burleson, James, Kennedy of Bee, Kennedy of Harris, Kennedy of Starr, King of Rockwall, King of Ellis, Kirk, Lindsey, Lloyd, Long, Maddox, Martin, McElwee, McFall, McFarland, McGehee, McLemore, Meyers, Mills, Moody, Moore, Morrison, Murray, Murrell, Newton, Nolan, Onion, Peck, Peter, Phillips, Pickett, Ragsdale, Rodriguez, Rogan, Rogers of Anderson, Rogers of Titus, Rogers of McLennan, Rowell, Rudd, Russell, Sebastian, Sherrill, Simmons of Grayson, Simmons of Maverick, Slayden, Smith of Smith, Smith of Hill, Strange, Sumner, Tankersley, Taylor, Templeton, Townsend, Truit, Turner, Turney, Urbahn, Weeks, Weinert, Wester, White, Wilson, Wohlford, Wynn, Young—115.

The following members voted for Mr. Nugent:

Messrs. Barbee of Freestone, Burleson, Cain, Calhoun, Cocke, Dorow, Floyd, Griffin—8.

The following voted for Mr. Cuney: Mr. Haller—1.

The result of the roll call was as follows:

Hon. Roger Q. Mills received 115 votes.

Hon. Thos. L. Nugent received 8 votes.

Hon. N. W. Cuney received 1 vote.

The Hon. Speaker of the House then announced that Roger Q. Mills, having received a majority of all the votes cast, was duly and constitutionally elected United States Senator for the ensuing six years.

7—Senate

The Speaker then announced that the object for which the joint session had been assembled had been completed, and on motion of Senator Imboden, the Senators withdrew to the Senate Chamber.

IN SENATE.

On motion of Senator Lawhon, the Senate adjourned till 10 o'clock tomorrow.

FIFTEENTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, Jan. 26, 1893.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Agnew,	Jester,
Atlee,	Kearby,
Baldwin,	Lawhon,
Boren,	McComb,
Bowser,	McKinney,
Browning,	Pressler,
Cranford,	Shelburne,
Crowley,	Simpson,
Dean,	Smith,
Dickson,	Steele,
Douglass,	Swayne,
Goss,	Tips,
Greer,	Whitaker,
Hutchinson,	Woods,
Imboden,	Yoakum.

Prayer by the chaplain, Dr. Briggs.

Pending the reading of the journal,

On motion of Senator Goss, the reading of the same was suspended.

PETITIONS AND MEMORIALS.

By Senator McKinney:

Petition of six citizens, members of Falls county bar, opposing the creation of the Fifty-fourth judicial district of McLennan county.

Read and referred to Committee on Judicial Districts.

On motion of Senator Kearby, Senator Lewis was excused till Saturday morning on account of important business.

COMMITTEE REPORTS.

COMMITTEE ROOM,
AUSTIN, TEXAS, Jan. 25, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Internal Improvements to whom was referred

Senate bill No. 62, entitled "An act to amend section 1, of chapter 139, approved April 4, 1887, entitled an act to

regulate the shipment of freights, and require railway companies to furnish sufficient cars to transport the same, and to provide penalties for failure so to do."

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do not* pass,

SWAYNE, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, Jan. 25, 1893.

Hon. M. M. Crane, President of Senate:

Your Committee on Mining and Irrigation, to whom was referred

Senate bill No. 51, entitled "An act to amend section 7 of an act entitled an act to promote the development of the mining resources of Texas, chapter 100, approved March 29, 1889, and to repeal all laws and parts of laws in conflict with this act, as hereby amended,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do pass*.

DEAN, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, Jan. 24, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 17, being "An act to amend article 1816 of the Revised Civil Statutes of the State of Texas," and find the same correctly engrossed.

PRESSLER, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, Jan. 24, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 18, being "An act to amend title 17, chapter 6 of the Penal Code of the State of Texas, by adding thereto chapter 6a," and find the same correctly engrossed.

PRESSLER, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, Jan. 24, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 14, being "An act to amend articles 3227, 3228, 3229, 3230, 3231, 3232, 3233, 3234, 3235, 3236, 3237, 3238, 3239, 3239a, 3239b, 3239c, title 63 of the Revised Civil Statutes of Texas," and find the same correctly engrossed.

PRESSLER, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, Jan. 25, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 27, being "An act to diminish the jurisdiction of the county court of Webb county, and to conform the jurisdiction of the district court of Webb county to such change," and find the same correctly engrossed.

PRESSLER, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, Jan. 24, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

Senate bill No. 11, entitled "An act to amend section 19 of an act entitled an act to redistrict the State into judicial districts and fix the times for holding courts therein, and to provide for the election of judges and district attorneys therein at the next general election, etc.,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do pass*.

ATLEE, Chairman.

BILLS AND RESOLUTIONS.

By Senator Cranford:

A bill to be entitled "An act to encourage and induce immigration to Texas and to stimulate persons to form themselves into companies or associations for the purpose; providing certain qualifications for immigrants from foreign countries; and providing penalties for non-compliance with its provisions; and to repeal all laws and parts of laws in conflict therewith."

Read first time and referred to Judiciary Committee No. 1.

By Senator Goss:

A bill to be entitled "An act to amend section 11 of an act approved April 28, 1891, entitled an act to amend sections 11, 14 and 15 of an act to amend sections 5, 8, 11, 13, 14, 15 and 22, chapter 99, of an act to provide for the sale of all lands heretofore or hereafter surveyed and set apart for the benefit of the public free schools, the University and the several asylums, and the lease of such lands and of the public lands of the State, and to prevent the free use, occupancy, unlawful inclosure, or unlawful appropriation of such lands, and to prescribe and provide adequate penalties therefor, approved April 1, 1887, approved April 8, 1889."

Read first time and referred to Committee on Public Lands.

By Senator Jester, by request:

A bill to be entitled "An act to amend chapter 3, title 42, of the Revised Civil Statutes of the State of Texas, by adding thereto article 2388a."

Read first time and referred to Judiciary Committee No. 1.

By Senator Lawhon:

"An act to amend article 3183, chapter 4, title 61 of the Revised Civil Statutes."

Read first time and referred to Judiciary Committee No. 1.

By Senator Baldwin:

A bill to be entitled "An act to validate patents heretofore issued and location heretofore made by virtue of Confederate veteran donation land certificates."

Read first time and referred to Committee on Public Lands.

By Senator Yoakum:

An act entitled "An act to add article 225a to title 4, chapter 2 of the Code of Criminal Procedure of the State of Texas."

Read first time and referred to Judiciary Committee No. 2.

By Senator Browning, by request:

"An act to fix the ex-officio compensation of county judges."

Read first time and referred to Judiciary Committee No. 2.

By Senator McComb:

A bill to be entitled "An act to regulate and limit the publications by authority of the State of the opinions of the supreme court, the courts of civil appeals and the supreme court of criminal appeals of the State of Texas."

Read first time and referred to Judiciary Committee No. 1.

By Senator Tips, by request:

A bill to be entitled "An act to amend article 566, chapter 2, title 20 of the Revised Civil Statutes of the State of Texas, as amended by the Twenty-second Legislature, chapter 101, page 161."

Read first time and referred to Judiciary Committee No. 1.

By Senator Kearby:

A bill to be entitled "An act to authorize the redemption of real estate sold under mortgage, trust deed, execution or other forced or judicial sales, and to provide the manner and time within which the same may be redeemed."

Read first time and referred to Judiciary Committee No. 2.

By Senator Shelburne:

A bill to be entitled "An act to amend article 4677 of the Revised Statutes of the State of Texas."

Read first time and referred to Judiciary Committee No. 1.

By Senator Imboden:

A bill to be entitled "An act to amend article 500 of the Penal Code of the State of Texas."

Read first time and referred to Judiciary Committee No. 2.

Senator Steele entered a motion to reconsider the vote by which the Senate refused to substitute the minority committee report on Senate bill No. 49 for that of the majority, and the same was ordered spread upon the journal.

By Senator Tips:

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the clerk of Senate Committee on Penitentiaries be selected to accompany the joint committee of the two houses on their visit to the penitentiaries of this State.

Adopted.

Senator Shelburne moved to reconsider the vote by which Senate bill No. 16 was passed, and the same was ordered spread upon the journal.

Senator Imboden called up his motion to reconsider the vote by which the majority committee report on Senate bill No. 49 was adopted.

Reconsidered by the following vote:

YEAS—18.

Boren,	Imboden,
Bowser,	Jester,
Browning,	McKinney,
Cranford,	Pressler,
Crowley,	Steele,
Dean,	Tips,
Dickson,	Whitaker,
Douglass,	Woods,
Greer,	Yoakum.

NAYS—11.

Agnew,	McComb,
Atlee,	Shelburne,
Baldwin,	Simpson,
Goss,	Smith,
Hutchison,	Swayne.
Kearby,	

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
AUSTIN, TEXAS, Jan. 26, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am instructed by the House to inform the Senate of the passage by the House of

House bill No. 158, "An act to have copyrighted the reports of the commissioners appointed to digest the laws, civil and criminal, of the State of Texas, as adopted by the commissioners appointed by the Governor to codify the laws of the State of Texas, as provided by an act passed by the Twenty-second Legislature at its reg-

ular session, entitled an act to provide for revising, digesting and publishing the laws, civil and criminal, of the State of Texas," by a two-third vote, ayes 108, noes 6.

Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.

In Senate. Read first time and referred to Judiciary Committee No. 1.

Senator Steele called up his motion to reconsider the vote by which the Senate refused to adopt the minority committee report on Senate bill No. 49 in lieu of the majority report.

Reconsidered by the following vote:

YEAS—17.

Boren,	Imboden,
Bowser,	Jester,
Browning,	McKinney,
Cranford,	Steele,
Crowley,	Tips,
Dean,	Whitaker,
Dickson,	Woods,
Douglass,	Yoakum.
Greer,	

NAYS—12.

Agnew,	McComb,
Atlee,	Pressler,
Baldwin,	Shelburne,
Goss,	Simpson,
Hutchison,	Smith,
Kearby,	Swayne.

Senator Dean moved to postpone further consideration of Senate bill No. 49 till to-morrow at 11 a. m.

Lost.

Senator Browning moved to adopt the minority report.

Adopted by the following vote:

YEAS—17.

Boren,	Jester,
Bowser,	McKinney,
Browning,	Pressler,
Cranford,	Steele,
Dean,	Tips,
Dickson,	Whitaker,
Douglass,	Woods,
Greer,	Yoakum.
Imboden,	

NAYS—12.

Agnew,	Kearby,
Atlee,	McComb,
Baldwin,	Shelburne,
Crowley,	Simpson,
Goss,	Smith,
Hutchison,	Swayne.

By Senator Browning:

Strike out the words "guilty, and the plea of" in line 6.

Adopted.

The bill was then ordered engrossed and passed to its third reading by the following vote:

YEAS—17.

Boren,	McKinney,
Bowser,	Pressler,
Browning,	Steele,
Cranford,	Swayne,
Dickson,	Tips,
Douglass,	Whitaker,
Greer,	Woods,
Imboden,	Yoakum.
Jester,	

NAYS—12.

Agnew,	Hutchison,
Atlee,	Kearby,
Baldwin,	McComb,
Crowley,	Shelburne,
Dean,	Simpson,
Goss,	Smith.

BILLS ON THIRD READING.

Chair laid before the Senate, Senate bill No. 14, entitled "An act to amend articles 3227, 3228, 3229, 3230, 3231, 3232, 3233, 3234, 3235, 3236, 3237, 3238, 3239, 3239a, 3239b, 3239c, title 63 of the Revised Civil Statutes of Texas."

Bill read third time and then passed.

Senator Swayne called up the motion of Senator Shelburne, to reconsider the vote by which Senate bill No. 16 was passed, and moved to lay that motion on the table.

Withdrawn.

Senator McComb called up the report made by the Committee on Rules. Report read and adopted.

The Chair laid before the Senate, Senate bill No. 18, entitled "An act to amend title 17, chapter 6 of the Penal Code of the State of Texas, by adding thereto chapter 6a."

Bill read third time and passed,

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
AUSTIN, TEXAS, Jan. 26, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate that the House has refused to pass Senate concurrent resolution, "Resolved by the Senate, the House concurring, that the clerk of the Senate Committee on Penitentiaries be selected to accompany the joint committee of the two Houses on their visit to the penitentiaries of this State."

Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.

BILLS ON SECOND READING.

President laid before the Senate, House bill No. 3.

Bill read second time and passed to its third reading.

The Chair laid before the Senate House bill No. 15.

Bill read second time and passed to its third reading.

On motion of Senator Jester, the constitutional rules requiring bills to be read on three several days were suspended, and the bill was put upon its final passage by the following vote:

YEAS—29.

Agnew,	Jester,
Atlee,	Kearby,
Baldwin,	McComb,
Boren,	McKinney,
Bowser,	Pressler,
Browning,	Shelburne,
Cranford,	Simpson,
Crowley,	Smith,
Dean,	Steele,
Dickson,	Swayne,
Douglass,	Tips,
Goss,	Whitaker,
Greer,	Woods,
Hutchison,	Yoakum.
Imboden,	

NAYS—none.

Bill read third time.

The bill was then passed by the following vote:

YEAS—29.

Agnew,	Jester,
Atlee,	Kearby,
Baldwin,	McComb,
Boren,	McKinney,
Bowser,	Pressler,
Browning,	Shelburne,
Cranford,	Simpson,
Crowley,	Smith,
Dean,	Steele,
Dickson,	Swayne,
Douglass,	Tips,
Goss,	Whitaker,
Greer,	Woods,
Hutchison,	Yoakum.
Imboden,	

NAYS—none.

The Chair laid before the Senate Senate bill No. 49, entitled "An act to amend article 538 of title 7, chapter 4 of the Code of Criminal Procedure of Texas."

On motion of Senator Dean, it was made a special order for 11 a. m. tomorrow.

Senator Kearby called up his concurrent resolution relating to the National Census Bureau.

Senator Swayne moved to postpone the further consideration of the same till the concurrent resolution offered by Senator Browning be acted on in the House.

Lost.

Resolution was then read, and on motion of Senator Hutchison, referred to Committee on Federal Relations.

Senator Dean called up his Senate concurrent resolution No. 2.

Senator Swayne in the chair.

Resolution read and adopted.

By Senator Dean:

Whereas, The most remarkable circumstance within the memory of man has recently occurred in the State of Kansas, in the election of Judge Martin, a life-long Democrat and a leader of many forlorn hopes in that State, to the United States Senate; therefore be it

Resolved, That as an expression of our profound satisfaction and gratitude for this culmination of a political contest that this body do now adjourn until to-morrow at 10 o'clock.

Adopted, and Senate adjourned accordingly.

SIXTEENTH DAY.

SENATE CHAMBER.

AUSTIN, TEXAS, Jan. 27, 1893.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Agnew,	Kearby,
Baldwin,	Lawhon,
Boren,	McComb,
Bowser,	McKinney,
Browning,	Pressler,
Cranford,	Shelburne,
Crowley,	Simpson,
Dean,	Steele,
Douglass,	Swayne,
Goss,	Tips,
Greer,	Whitaker,
Imboden,	Woods,
Jester,	Yoakum.

Prayer by the chaplain, Dr. Briggs.

Pending the reading of the journal,

On motion of Senator Goss, the reading of the same was suspended.

On motion of Senator Kearby, the journal was corrected to show that the bill introduced by him, authorizing the redemption of real estate sold under mortgage, etc., should have been referred to Judiciary Committee No. 2, instead of Judiciary Committee No. 1.

On motion of Senator Smith, Senator Atlee was excused until next Tuesday.

On motion of Senator Swayne, Senator Hutchison was excused until Monday, on account of important business.

On motion of Senator Boren, Sena-